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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/740,568 | 05/02/2001 | Frederik M. DeWolf | T7900-10 | 6323 |
| 35465 | 7590 | 02/04/2005 | EXAMINER | |
| GREGORY CHARLES FLICKINGER 223 PHEASANT RUN SE ROME, GA 30161 | | | PATEL, JAGDISH | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 3624 | |

DATE MAILED: 02/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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|---|--------------------------------------|--|-------------------------------------|--|
| <div style="text-align: center;">  Office Action Summary </div> | Application No. 09/740,568 | | Applicant(s) DEWOLF ET AL | |
| | Examiner JAGDISH PATEL | | Art Unit 3624 | |
| | | | | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-63 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-63 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on _____ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>5/5/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Claim Rejections - 35 USC § 101

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

2. Claims 52-54 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Each of claims 52-54 recite a system which comprises a human entity within the claim.

A claim directed to or including within its scope a human being will not be considered to be patentable subject matter under 35 U.S.C. 101. The claims recite within its scope a human being (a plurality of entities). Per Commissioner Quigg's notice published at 1077 OG 24 (April 21, 1987), "a claim directed to or including within its scope a human being will not be considered to be a patentable subject matter under 35 U.S. C. 101"

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

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The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 4-51, 61 and 62 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 4 (and dependent claims 5-6) recites certain property (or description) as further limiting the asset. However, none of the process steps of method claims depend upon or alternatively are affected by what the asset includes (in other words not functionally related to the process carried out in the method of claim 1). For example, method steps identifying, assigning and recording are performed regardless of the specifics of the asset.

Similarly, (per claims 7-8), the asset being a multiple-vendor asset has no relationship to the process steps of the independent claim 1.

Similarly, (per claims 9-21), the feature recited in claims 9-16 have no relationship to the process steps of claim 1. For example, managing the read and write privileges are independent of the content of the information related to the asset (e.g. claims 9,10, 13-16), current owner of the asset, type of the ownership (claims 11-12). Claims 17-21 contain similar

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limitations which have no functional relationship to the process carried out in method claim 1.

Claims 22-24 are not related to any process step recited claim 1. Alternatively, these claims are not in proper form.

Claim 25-27 recite features which do not functionally relate to any of the limitations (i.e. process steps) as previously explained.

Claims 28-44 recite "storing data related to any change in status of the asset". This step does not functionally relate (or link) to any process recited in claim 1, since each process step can be performed regardless of whether the data related to any change in status of the asset is stored or not.

Claims 29-44, 47-49 depend on claim 28. These claims also recites other limitations which do not properly relate to any process carried out in the method of claim 1.

Claims 45-46 and 50-51 recite feature of the "various entities" and the "read and write privileges" in a manner that does not functionally relate to the method steps of claim 1.

For the reasons discussed above the subject claims are indefinite because the scope of claim(s) cannot be fully ascertained.

Dependent claims 61 and 62 are similarly analyzed.

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Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 1-63 are rejected under 35 U.S.C. 103(a) as being unpatentable over Abraham et al. (US 5,446,903) (hereafter "Abraham").

Abraham teaches a method for recording information related to assets throughout a cycle of the asset (col. 2 L 5-25), the method comprising:

identifying the asset to be entered into an asset registry;
assigning a unique identifier to the asset;

(independent projects, inherently each project is identified by unique identifier, for the purpose of various management objectives such as tracking progress of the projects, personnel assignment, cost allocation etc.)

recording the information related to the asset in the asset

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registry, wherein the information is associated with the unique identifier;

(refer to col. 10 L 18-39, information related to a project is recorded as "predetermined groups of data elements also referred to as "data categories")

categorizing the information related the asset into multiple attributes;

(refer to "data categories" as discussed above)

managing read and write privileges to the asset registry for various entities;

(col. 10 L 61- col. 11 L 17, .." the access which is granted may be read only or read/write access, and the access which is denied may also be write access or read/write access.)

providing access the attributes to the various entities that have an interest in the asset, wherein an entity having write privileges for a first attribute of the asset can write data related to a change in the first attribute of the asset the asset registry, and an entity having read privileges for a second attribute of asset can read data related to the second attribute.

((col. 10 L 61- col. 11 L 17, .." the access which is granted may be read only or read/write access, and the access which is denied may also be write access or read/write access.)

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The prior art of Abraham reasonably pertinent to the particular problem with which the applicant was concerned, in order to be relied upon as a basis for rejection of the claimed invention. See *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). In this case, the claimed invention pertains to controlling access (read and write privileges) to the information related to the asset and in particular providing access to various entities to an asset registry. In this regard both the recited claim(s) and the reference are concerned with solving a problem of providing access to the specific attributes (data elements) of the information concerning a specific subject matter.

It would have been obvious to apply the aforementioned teaching of Abraham as per discussion of claim 1 to an asset registry in an analogous manner as the engineering change control management (or project management) because that would have the benefits of controlling security of data elements (attributes) in an environment where a plurality of entities (user groups in Abraham) have access to the information pertaining to the asset registry.

Claim 2-51, 61,62 : The method of claim 1, wherein the information being recorded for an entire life cycle of the

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asset, portion of a life cycle of the asset, the asset (project) includes multiple component (see col. 6 L 1+ "progresses through series of steps" etc. which implies life cycle of a project (or asset).).

Many features recited in the subject claims 2-51 are rendered obvious as per analysis of claim 1. It is also asserted that the referenced method of controlling access to data elements in a data processing system may be adapted for other applications including information management of asset registries. It is noted that the method of recording information related to engineering project information, in particular the features of controlling security of data elements which can be applied to a varieties of fields and endeavors including the asset registry having a restricted access as per recitation of claims 2-51 for the reasons indicated in claim 1 analysis. (see col. 2 L 5-25). The motivation of such adaptation is discussed in claim 1 analysis.

As per claims 52-54 Abraham discloses a system for recording information related to asset and providing access to the information to interested parties throughout cycle of the asset as per discussion of claims 1-51.

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Abraham inherently disclose a network providing a link between the plurality of entities and asset registry (refer to col. 8 L 8-25, which recites in part " ..It will be understood ..computing environment 13 may operate across multiple computer platforms").

Claim 53: asset registry includes one or more databases (see Figure 4-8).

Claims 54: Abraham fails to teach that the network is the Internet.

Official Notice is taken that providing information concerning asset management over the Internet is old and well known in the art.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the system of Abraham such that the users (entities) may access the asset registry (OO computing environment) over the Internet, since the benefits of providing information over the Internet such as wide and unconstrained access to users are well known.

Claim 55. As per corresponding method claim 1, Abraham discloses a system for recording information related to an asset and providing access to the information to interested entities.

(refer to claim 1 analysis)

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Claim 56. The system claim 55, wherein the means for recoding information records information related to any change status of the asset. (see col. 6 L 61- col. 7 L 35)

Claim 57. The system of claim 55, wherein the means for recording information records information related to transactions that have an effect on the asset.

(see col. 6 L 61- col. 7 L 35)

58. The system of claim 57, wherein the means for recording information records documents related to the transactions.

(see col. 6 L 61- col. 7 L 35, col. 8 L 51+ engineering change control management system)

59. The system of claim 57, wherein the means for recording information records entities participating in the transactions.

(see col. 7 L 15-35, each user of the system associated with one or more security groups..security category)

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60. The system of claim 55, wherein the means recoding information records information related to the entities having interest in the asset.

(see col. 7 L 15-35, each user of the system associated with one or more security groups..security category)

61. wherein the means for providing access to the various attributes of the asset includes means for authenticating the entity desiring access.

(see col. 7 L 15-35 each security group is given access (read/write, read only or one)..)

Conclusion

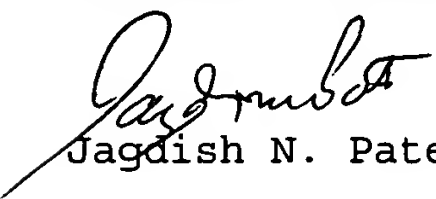
The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAGDISH PATEL whose telephone number is (703)308-7837. The examiner can normally be reached on 800AM-600PM M-Th.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on (703)308-1065. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Jagdish N. Patel

(Primary Examiner, AU 3624)

02/01/05